

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DONALD CALHOUN,

Plaintiff/Counter-Defendant,

v.

JACK DOHENY COMPANIES, INC.

Defendant/Counter-Plaintiff.

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**HON. GEORGE C. HANKS, JR.
CIVIL ACTION NO. 4:19-cv-03171**

JURY DEMANDED

OFFER OF JUDGMENT

Defendant/Counter-Plaintiff Jack Doheny Companies, Inc., through counsel, pursuant to Fed. R. Civ. P. 68, in complete resolution of this case, offers to have judgment entered in the above-captioned matter in favor of Plaintiff/Counter-Defendant, and against Defendant/Counter-Plaintiff, to the following effect:

1. Declaring that Paragraph 1 of the Employee Confidentiality and Non-Competition Agreement is unenforceable;
2. Enjoining Jack Doheny Companies, Inc. from enforcing Paragraph 1 of the Employee Confidentiality and Non-Competition Agreement; and
3. Dismissing the above-captioned lawsuit in its entirety, with prejudice, and without fees or costs.

Plaintiff/Counter-Defendant may accept this Offer of Judgment by signing below or by having Plaintiff/Counter-Defendant's counsel sign on his behalf.


Respectfully submitted,

/s/ R.J. Cronkhite
R.J. Cronkhite (P78374)
Dinsmore & Shohl LLP


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Attorneys for Defendant/Counter-Plaintiff

Dated: June 9, 2020

ACCEPTED:

DocuSigned by:

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Gregg Rosenberg, Esq.
Plaintiff/Counter-Defendant's Attorney


Donald Calhoun